

OFFICE OF THE CLERK
UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

MARGARET CARTER
CLERK

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UNITED STATES COURTHOUSE
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**NOTICE OF AMENDMENT TO LOCAL RULE 46.0(a)(1) AND
INTERNAL OPERATING PROCEDURE II(A)**

REQUEST FOR COMMENTS AND NOTICE OF AMENDMENT

The Judicial Conference of the United States, at its September 2011 session, approved amendments to the Court of Appeals Miscellaneous Fee Schedule, promulgated under 28 U.S.C. § 1913. These amendments include an increased attorney admission fee of \$176.00, effective November 1, 2011. This new fee is in addition to the \$50.00 local admission fee set by Local Rule 46.0(a)(1). See Fed. R. App. P. 46(a)(3) (providing authority for appellate courts to impose an admission fee by local rule or court order).

Pursuant to 28 U.S.C. § 2071(e), the court has determined that there is an immediate need to amend Local Rule 46.0(a)(1) and Internal Operating Procedure II(A) to take account of this change. A copy of the amended local rule and internal operating procedure is attached. Deletions are indicated in ~~strike-out~~ print; additions are shown in *italic* print.

These amendments are effective November 1, 2011. The court hereby invites public comments on these amendments. Comments should be submitted by November 21, 2011, and addressed to:

Office of the Clerk
U.S. Court of Appeals for the First Circuit
United States Courthouse
1 Courthouse Way, Suite 2500
Boston, Massachusetts 02210

October 20, 2011

s/s Margaret Carter, Clerk

Local Rule 46.0 Attorneys

(a) Admission.

- (1) **Admission Fee.** Upon being admitted to practice, an attorney other than government counsel, and court-appointed counsel, must pay a local admission fee of \$50.00 to the clerk. The clerk must maintain the proceeds as a court's discretionary fund for the reimbursement of expenses of non-compensable court-appointed counsel and such other purposes as the court may order. This fee is in addition to the ~~\$150.00~~ *\$176.00* national admission fee imposed by the Court of Appeals Miscellaneous Fee Schedule, promulgated under 28 U.S.C. § 1913. Attorneys may be admitted in open court on motion or otherwise as the court shall determine.

Internal Operating Procedure II. Attorneys

- A. **Admission.** Attorneys seeking admission to the bar of the First Circuit Court of Appeals should obtain an application from the court's website at www.ca1.uscourts.gov or write to the Clerk's Office. The admission fee imposed by Local Rule 46.0(a)(1) is \$50.00. There is an additional ~~\$150.00~~ *\$176.00* admission fee prescribed by the Court of Appeals Miscellaneous Fee Schedule, promulgated under 28 U.S.C. § 1913. The combined fee of ~~\$200.00~~ *\$226.00* should be paid in a single check or money order, made payable to: "Clerk, United States Court." Qualified attorneys should mail the completed application, along with the admission fee to the Clerk's Office. Once verification of the application is complete, which may take up to 14 days, a Certificate of Admission will be returned by mail. Incomplete applications will not be considered. Requests to be admitted in person must be made on the application form and will be allowed at the Court's discretion. Successful applicants to be admitted in court will be electronically notified of the time and place of admission. Such applicants will receive their Certificate of Admission by mail at a later date. Where an application raises questions about the applicant's qualification for admission, the Clerk will refer the matter to the Chief Judge. If the Chief Judge concludes that denial may be warranted, the matter will be referred to a panel for determination.